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Technology Center 2100

In re Application of:
Tsutomu Matsumoto, et al.
Application No. 09/810,437
Filed: March 19, 2001
For: Card Settlement Method and System using
Mobile Information Terminal

**DECISION ON PETITION
UNDER 37 C.F.R. § 1.181**

This is a decision on the petition filed January 27, 2006 under 37 CFR § 1.181 to invoke Supervisory Authority of the Commissioner and require the Examiner to withdraw the Final rejection mailed December 30, 2005.

The petition is **DISMISSED AS MOOT.**

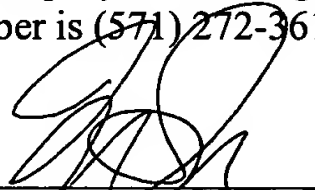
On January 27, 2006, applicant's counsel filed a petition to the Director under 37 CFR § 1.181 to seek relief from actions of the examiner in relation to the Final Office action mailed December 30, 2005. In the petition, applicant's counsel alleged that the rejection of claims 7-8, 9/7, 10/7, 16/8, 12, 17/8, 16/(8,12) and 17/(8, 12) under 35 U.S.C. § 103 was introduced for the very first time on unamended claims; thus rendering the Final Office action premature.

On 8 February 2006, a non final office action was mailed out indicating that the finality of the December 30, 2005 action is withdrawn.

Accordingly, the petition is **DISMISSED AS MOOT.**

The status of the application is awaiting the examiner's response to the November 27, 2006 request for continued examination.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3612.



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